

97-84198-26

U.S. Congress. House.

Compensation of
Delaware Indians

Washington

1912

97-84198-26
MASTER NEGATIVE #

COLUMBIA UNIVERSITY LIBRARIES
PRESERVATION DIVISION

BIBLIOGRAPHIC MICROFORM TARGET

ORIGINAL MATERIAL AS FILMED - EXISTING BIBLIOGRAPHIC RECORD

308	
L	
Box 827	U. S. Congress. House. Committee on public lands. Compensation of Delaware Indians. Hearings before the Committee on the public lands, House of representatives, on H. R. 755. May 25, 1912. Washington, Govt. print. off., 1912. 22 p. 23 ^{cm} . Joseph T. Robinson, chairman.
	1. Delaware Indians. 2. Indians of North America—Claims.
Library of Congress	E99.D2U542 45-51621 21 ONLY CB

RESTRICTIONS ON USE: Reproductions may not be made without permission from Columbia University Libraries.

TECHNICAL MICROFORM DATA

FILM SIZE: 35mm

REDUCTION RATIO: 11:1

IMAGE PLACEMENT: IA IIA IB IIB

DATE FILMED: 9-25-97

INITIALS: PB

TRACKING # : 28145

FILMED BY PRESERVATION RESOURCES, BETHLEHEM, PA.

COMPENSATION OF DELAWARE INDIANS

HEARINGS

BEFORE THE

COMMITTEE ON THE PUBLIC LANDS

HOUSE OF REPRESENTATIVES

ON

H. R. 755

MAY 25, 1912



WASHINGTON
GOVERNMENT PRINTING OFFICE
1912

MAY 14 1953

COMPENSATION OF DELAWARE INDIANS.

COMMITTEE ON THE PUBLIC LANDS,
HOUSE OF REPRESENTATIVES.

May 25, 1912.

The committee was called to order at 10.30 a. m., Hon. Joseph T. Robinson (chairman) presiding.

The CHAIRMAN. The committee has for consideration this morning House bill 755, to compensate the Delaware Indians for services rendered by them to the United States in various wars. The Chair is desirous to suggest to the committee that Mr. Richard C. Adams, representing the Delaware Indians, is present and desires to be heard briefly on this bill, and he further suggests that Mr. Adams be permitted to complete his statement without interruption, if possible.

STATEMENT OF MR. RICHARD C. ADAMS.

Mr. ADAMS: Mr. Chairman and gentlemen of the committee: I represent the Delaware Indians in this bill, No. 755. I have been before this committee before—not with regard to this bill—but a similar bill, which is identical with this bill. A subcommittee was appointed to take up the other bill, H. R. 22069, and they made a report in 1910, a copy of which I wish to file at this hearing. This report was made by Mr. Taylor, Mr. Reynolds, and Mr. Morgan, and goes into the matter quite fully. I have shown to this committee—at least most of the gentlemen of this committee—historical relics of the Delaware Indians that were used by them in the various wars in the United States. I had on this table the war flute that they played the war dance on when they marched out of Fort Duquesne to meet Braddock. In that battle we had 682 Delaware Indians and there were 72 Frenchmen, who met the British; while the forces that were guarding Fort Duquesne, numbering some 2,000 soldiers, remained behind. This was supposed to be only a skirmish, but we fought Braddock and killed him and about 1,800 British soldiers and defeated them, and I believe it was that battle that encouraged the Revolutionary soldiers to fight the British troops.

The first treaty that was ever made was made with my people, the Delaware Indians, and article 3 of that treaty was an offensive and defensive alliance between the Delaware Nation and the United States. That treaty provided, among other things, that we should give free access across our territory to the United States troops to posts that were occupied at the time by Great Britain. Not only should we give them free access across our territory, but we should furnish them with supplies—corn, meat, and other things—if the officers of the United States paid or agreed to pay compensation for these supplies. They did agree to pay for these supplies and received

many supplies, such as great quantities of Buffalo meat and hundreds of bushels of corn. But you have no record showing that we received anything in the way of compensation for these supplies. The United States also agreed in that treaty to build a fort on our territory and put some soldiers there for the protection of our old men, women, and children, as we agreed to send our best warriors and most skilled warriors in battle against the British. We sent 900 warriors, many times without any United States officers or soldiers with them, while many times the Delawares enlisted in regiments and companies of the United States and had some of their own officers over them. We had two colonels commissioned by the Continental Congress during the Revolutionary War, and they often went against the British without any other soldiers with them whatever. Was it necessary for them to go alone? It seems strange to me that at that time the United States would prefer to put their soldiers to guard our women and children and let our soldiers do the fighting, but they did do it. Most of Col. Broadhead's soldiers were located on the Delaware Reservation, where most of the fighting was done. Broadhead, in one of his letters which you will find in one of his reports, wrote to Gen. Washington and asked for some money and clothing for his Army. He said, "If you can not send clothing for our Army, at least send me a barrel of red paint so that I can fix them up like the Delaware Indians." He further said, "I have nothing to pay the Delaware Indians, not even a breech clout."

That was not all we did. We furnished in the Revolutionary War not only supplies and warriors, but guards and scouts for Gen. Washington, and at the close of the war Mr. Morgan, who was a colonel in the Revolutionary War and Commissioner of Indian Affairs, recommended we should have bounties of 286,000 odd acres of land; that we should have for the two chiefs and colonels 30,000 acres of land to help them—something similar to what they did for Lafayette when they gave him a large tract of land in Virginia—but they have not given it to us up to this time.

Then when the War of 1812 began we agreed by treaty to help and did help again. I showed to this committee the silver pipe that was given to the Delaware Indians for our services in that war by Gen. Harrison. At that time we furnished about 800 soldiers, and we rendered some good service, too. We had to take care of the Northwest, and we kept back all of the northwestern Indians and induced them not to join the British; if they could not help the United States, to at least remain neutral. That of itself was worth a great deal to the United States. We furnished scouts and guides in that war in many cases.

Then the Florida war came on and we sent down to that war 186 soldiers. In 30 days after these soldiers landed in Florida the war was over. Our people knew how to fight in the Everglades. With our 186 men here, there, and everywhere, acting as guides and helping the Army, we brought the war to a close in less than 30 days. The United States lost a large number of men there, about 30,000 before we began. We furnished Gen. Fremont with many soldiers during the Mexican War, who fought in Lower California, in Arizona, and New Mexico, and one company who fought under Capt. Black Beaver in old Mexico. I have a silver tommyhawk given to Thomas Hill for services in the Mexican War. This committee has seen that, and I

have the war club we carried in all these wars, from the Revolutionary War down, which I have exhibited to you.

These are historical relics, silent witnesses of what we did, but nowhere will you find a record of where you paid the Delaware Indians compensation or bounties for what they have done. Now we ask for that.

Only recently, on a Saturday at midnight, did the President sign a pension act increasing the pensions, annually, about twenty-five million dollars; that is, pensions that are paid in monthly payments to soldiers who served from 90 days up on account of their age limit. Has anything like this been done for the Indians? Although many Indians have given their lives and their services in the interest of the Government and because they can not find the heirs of those who served and because the Indians have not been aggressive in their demands, the Government has not shown their appreciation of what the Indians have done and they have not been rewarded in any manner whatever except in very few cases since 1855, where they could not have escaped notice of the services and where the heirs of the Indian soldiers could be easily found or where the proof of the Indian soldier living was readily obtained.

In reference to this I wish to call attention to Agent Johnson's report, September 17, 1862, in which he says:

The Delawares are truly a loyal people, and with hardly an exception are devoted to the Government. Out of a population of 201 males between the ages of 18 and 45, there are at present 170 in the Union Army. This probably is the largest ratio of volunteers furnished for the war.

While we have the names of every one of these Delawares who served in the Civil War, because they were allowed to go on a buffalo hunt at the end of the war and did not return in time to be mustered out, although they had served three years, they were treated as deserters and have not received any pensions to this day. Of course, this being since 1855 that service does not entitle us to a claim for bounties, but it shows our loyalty and our devotion and it strengthens our claim for bounties to the tribe.

The Secretary of the Interior says that while there is no question about us having rendered the services, or having done the things we claim we did, he can not tell who the heirs of the Delaware Indians who served in these wars so long ago were, and he don't know how to trace the descendants of these soldiers to give them the bounty due them. But we claim the Delaware Indians as a tribe did this, and it is not necessary to find the heirs of the Delaware soldiers who served in these several wars, since we have got 1,101 Delawares on roll, and these are the heirs of these soldiers, and we should get for these 1,101 Delawares at least 160 acres of bounty. When we first started in helping you our tribe numbered 22,000 people. Most of these people were killed in war or lost by exposure in wars and small-pox and other diseases brought to them, and now we are a small, weak tribe, and for nearly 100 years we have had no compensation for the services we performed.

I can go through the parks in Washington and see the monuments erected to other people. Everywhere I find monuments erected to foreigners who did some little service for you. But you can not show me a monument to a Delaware or any other Indian. You can not find a foreigner's claim that has not been paid for services rendered

in some of these wars, but you can not find an instance where you gave my people anything at all. These are the reasons that we feel we should at least have the little that is coming to us, for we were loyal; we have given our blood, our tribe, our land—all we had. We do not want it in money, as the Interior Department recommended.

Where would you get your conservation from if it was not for the lands that you got from the Indians? See the millions of acres of land you have given to other soldiers. My people gave you Pennsylvania, part of Ohio, Indiana, and a large part of Missouri, which they received from Spain. My people fought in Texas under Gen. Macy to protect the State, and the records of the Red River expedition show that over 100 of our soldiers fought there, for which Texas gave them a grant of 40 miles square and then took it away from them. I have the maps of these lands and I have the records of the grants; but we have no title to the land to-day. We believe we should have the 160 acres bounty due to each Delaware Indian and we should have it without any more restrictions than is imposed on any other soldier. It was the tribe under two treaties as a tribe that enlisted their men; and you don't even keep the names in the War Department of our soldiers who enlisted, but simply mention the numbers. How could you expect to pay them, then, as individuals? You should at least have the names of the individuals who served; but when you do not have the names of these warriors, guides, and scouts which the Delawares sent you, then you should settle with the tribe that furnished them.

On the subject of heirship, and as to whether or not the descendants of these particular members of the Delaware Tribe who participated in the various wars referred to could be ascertained, permit me to say no such thing as individual heirship existed under the laws and customs of the Indians. All property possessed or acquired by an Indian or a band of Indians belonged not to such Indian or band of Indians, but to the tribe. During the period of these wars referred to any compensation made to an Indian was made to the tribe and not to any particular individual Indian, though it might have been for the services of some individual Indian.

When an individual Indian dies, under the laws and customs of the Indians he left no such thing as heirs. If one or more members of the Delaware Tribe performed services for the colonists or the Government of the United States it was deemed to be the services of the tribe, and not of any particular Indians. This has been repeatedly recognized in treaties and court decisions. Compensation for such services in such cases was always made to the tribe to which the individuals belonged or of which they were members.

Therefore whatever the United States owes for the services of the individual members of the Delaware tribe is owed to the tribe, and not to the individuals or to the descendants or heirs of the individuals.

A reference to the early treaties shows that the Delaware Nation as a tribe furnished the warriors, supplied them and United States soldiers with provisions, and as a tribe cared for and supported the families of the Delaware warriors who were away in the service of the United States.

I do not know that I can take very much of your time.

The CHAIRMAN. You will be permitted to revise and extend your statement unless there is some objection on the part of the committee.

Mr. RAKER. May I ask Mr. Adams a question?

Mr. ADAMS. I will be very glad to answer any questions that I can.

Mr. RAKER. Where are those 1,101 Delawares now?

Mr. ADAMS. In Oklahoma.

Mr. RAKER. They have transferred from the East to the West.

Mr. ADAMS. Yes; they made a good many moves from the East. They first went to Indiana, and some of them to Missouri, where they acquired a grant from Spain, and from there, after making a treaty, they went to Kansas, and from Kansas to Oklahoma.

Mr. RAKER. What part of Oklahoma are they living in?

Mr. ADAMS. In the Cherokee Nation.

Mr. RAKER. Are they practically all together?

Mr. ADAMS. Not all together; they are in a territory of from 30 to 80 miles.

Mr. RAKER. Has any provision been made for them by the Government?

Mr. ADAMS. They bought their rights from the Cherokee Nation, paid \$1 an acre for the land, and \$128,000 for citizenship, and when the Cherokee lands were allotted they received their proportionate share, but they have received nothing as gratuity from the Government.

The CHAIRMAN. How many Delawares are now living?

Mr. ADAMS. According to our last census, 1,101.

Mr. GRAHAM. That includes all grades of blood?

Mr. ADAMS. Yes.

Mr. GRAHAM. Mixed bloods. Are there many full-blood Delawares?

Mr. ADAMS. There are a little over 200.

Mr. MAHER. Was not a similar bill to this introduced?

Mr. ADAMS. Yes, sir; there was a similar bill to this.

Mr. MAHER. I would like to ask what action was taken on that bill?

Mr. ADAMS. There was a subcommittee report on that bill, which rendered a favorable report. I have a copy here which I want to file with this committee. I have several copies. I want also to refer Senate Document No. 483, Sixty-first Congress, second session, to this committee, which will show our loyalty from first to last and the ingratitude of this Government for our loyalty and services.

There can be no doubt in the minds of this committee but that the Delaware Indians are entitled to at least 176,000 acres of bounties; there can be no doubt in the mind of the Interior Department of this fact, and there can be no question but what they would be entitled to recovery under existing law if the heirs of the Delawares who served could be ascertained. The only thing we want is that the tribe shall receive the bounties and be considered the heirs of these soldiers who served, and we pray the passage of H. R. 755 as it stands, and this will satisfy the Delaware Indians, and should be done cheerfully and without hesitation by this great Government in settlement of the Government's obligation to my people.

There was granted 80,282,461 acres of lands to soldiers and sailors who served in wars before 1855. (See pp. 236-237 of the Public Domains, 1883-84.)

TO COMPENSATE THE DELAWARE INDIANS FOR SERVICES, ETC.

Mr. Reynolds, from the Subcommittee on the Public Lands, submitted the following report (to accompany H. R. 22069):

The Subcommittee on the Public Lands, to whom was referred H. R. 22069, have had the same under consideration and return it with the following report:

Your committee are of the opinion that there is justice in the claim of the Delaware Indians for services rendered to the United States in various wars prior to 1855.

It is evident to your committee that the Delaware Indians, as a tribe or nation, furnished soldiers to the United States in all of its wars from and including the Revolutionary War down to and including the Civil War. The Secretary of the Interior has so reported to this committee and it is also shown by many authentic reports, documents, and historical reference to which this committee has been referred, some of which are mentioned in Senate Document No. 483, Sixty-first Congress, second session, and in Senate Document No. 501, Fifty-ninth Congress, first session, and in the memorial submitted to your committee.

It appears that the Delaware Indians were the first people to come to the aid of the American colonists in their struggle for independence; that the first treaty that this Government made with any nation or people was made with the Delaware Indians. By this treaty the Delawares, as a nation, formed an offensive and defensive alliance with this Government. Article III of said treaty, which was made September 17, 1778, reads as follows:

"ARTICLE III.

"And whereas the United States are engaged in a just and necessary war, in defense and support of life, liberty, and independence against the King of England and his adherents, and as said King is yet possessed of several posts and forts on the Lakes and other places, the reduction of which is of great importance to the peace and security of the contracting parties, and as the most practical way for the troops of the United States to some of the posts and forts is by passing through the country of the Delaware Nation, the aforesaid deputies, on behalf of themselves and their nation, do hereby stipulate and agree to give a free passage through their country to the troops aforesaid and the same to conduct by the nearest and best ways to the posts, forts, or towns of the enemies of the United States, affording to said troops such supplies of corn, meat, horses, or whatever may be in their power for the accommodation of such troops, on the commanding officer's, etc., paying or engaging to pay the full value of whatever they can supply them with. And the said deputies, on behalf of their nation, engage to join the troops of the United States aforesaid, with such a number of their best and most expert warriors as they can spare, consistent with their own safety, and act in concert with them; and for the better security of the old men, women, and children of the aforesaid nation whilst their warriors are engaged against the common enemy, it is agreed on the part of the United States that fort of sufficient strength and capacity be built at the expense of the said United States with such assistance as it may be in the power of the said Delaware Nation to give, in the most convenient place and advantageous situation, as shall be agreed on by the commanding officers of the troops aforesaid, with the advice and concurrence of the deputies of the aforesaid Delaware Nation, which fort shall be garrisoned by such a number of the troops of the United States as the commanding officer can spare for the present, and hereafter by such numbers as the wise men of the United States in council shall think most conducive to the common good."

It appears that pursuant to the terms of this treaty a large number of Delawares joined the American Army, serving for various periods and under many different commanders, and frequently under their own officers. They were used as scouts and guides and emissaries to other tribes, and in various capacities, as well as warriors, and were especially valuable aids because of their familiarity with the country in which military operations were carried on and also because of the influential position they occupied with other tribes of Indians.

Col. George Morgan, who was the first Indian agent in what was then the Middle West, refers most favorably to the services of the Delawares during the Revolution, calls them "the chiefs of our allies," and reports that these Indians were rendering valuable services to the Government.

Upon the recommendation of Col. Morgan, made in 1778, Congress granted a colonel's commission to White Eyes, a Delaware chief, and under date of May 12, 1784, Col. Morgan recommended to Congress that the Delawares be granted 256,000 acres of land in recognition of their services to the American colonists during the Revolutionary War.

In 1785 and 1789 treaties were made between the United States and the Delawares which contain further evidence of the friendship and loyalty of the Delawares to the United States. In 1791 they were selected by the Secretary of War as guides and friendly emissaries to accompany Col. Thomas Proctor on a Government mission to the Miamis.

By the treaty of July 22, 1814, between the Delawares and the United States, the Delawares—

"Engage to give their aid to the United States in prosecuting the war against Great Britain and such of the Indian tribes as still continue hostile, and to make no peace with either without the consent of the United States."

"The assistance herein stipulated for is to consist of such a number of their warriors as the President of the United States, or any other officer having his authority therefor, may require."

It was largely owing to the efforts of the Delawares that many of the northwestern tribes joined in friendly treaty relations with the United States. This is further evidenced by the treaty of September 9, 1815. The commissioners of the United States appointed in 1815 to negotiate a treaty with the tribes west of the Mississippi report "the alacrity with which they (the Delawares) afforded their cooperation with us in the late war." Another evidence of the loyalty of the Delawares to the United States is shown in the treaty of September 29, 1817, between the United States and the Delawares.

The Delawares were also active in the American cause in both the Florida War and the Mexican War. Sprague in his history speaks of 174 men and 4 officers from the Delaware and Shawnee tribes who were allied with the American forces. The muster roll of two of the companies, showing double enlistment of each company, is at hand; one company consisted of 37 officers and men and the other company of 50 officers and men.

The muster roll of Capt. Black Beaver's company of 37 officers and men is at hand. Thomas Hill, a Delaware war chief, was at the head of a band of Delaware scouts in the Mexican War, and in token of his valiant services was presented with a silver tomahawk, which is still in the possession of the Delaware Nation.

The Delawares, unlike other soldiers, have never received from this Government any compensation for their military services. Not even a statute has been erected to them or to any of their warriors who fell in the cause of this Government. Yet no other people, nation, or tribe of Indians rendered like service to the United States. In the case of the Delawares their warriors, for the most part, were furnished by the tribe as a nation, and the families of the warriors were supported by the tribe while the warriors were away fighting.

And since the Government itself has preserved no military records of these Indians, to require strict proof of heirship, as required by the general bounty law, would make it impossible for the Delaware Indians to obtain bounty compensation for their services in the various wars prior to 1855.

Your committee is of the opinion that the Delaware Indians are entitled to compensation for their services in these various wars. To this the Department of the Interior agrees. It is proposed by this bill to provide this compensation and that it be made to the Delawares as a tribe and not to the heirs of the individuals, who fought in the various wars. If it should be required that the heirs of the individuals prove their heirship, this would forever foreclose any compensation ever being paid to the Delawares. The impossibility of securing the strict proof of heirship required by the general bounty law is largely due to the neglect of the Government to keep authentic records and to the fact that many records were destroyed by the British at the time they burned Washington.

The fact that the Delaware warriors were furnished by the tribe, the families of these warriors supported by the tribe while the warriors were away fighting, and the Delawares fought more as allies than as individuals, mainly under their own officers, places them in a class by themselves. Under such circumstances to make the compensation to the Delawares as a tribe will be just.

In view of the peculiar circumstances surrounding the case of the Delaware Indians and in view of the valiant long-continued service rendered to this Government, especially in its time of greatest need, your committee recommend that compensation in the way of bounties for these services aggregating 176,000 acres of land, pursuant to the terms of the bill, be granted the Delaware Indians as a tribe, and that the Government pay in cash to the Delaware Indians as a tribe for said bounties the sum of \$1.25 per acre, or the aggregate sum of \$229,000, and that this compensation be disposed of by the Indians in council, pursuant to their usages and land customs.

Your committee recommends the passage of the bill with the following amendment to be added on page 2, line 11, and after the word "premises":

"And that the United States pay in cash to the Delaware Indians as a tribe for said bounties the sum of one dollar and twenty-five cents per acre, or the aggregate sum of two hundred and twenty thousand dollars, and that this compensation be disposed of by the Indians in council pursuant to their usages and customs."

JOS. M. REYNOLDS,
DICK T. MORGAN,
EDW. T. TAYLOR,
Subcommittee.

[S. Doc. No. 483, 61st Cong., 2d sess.]

CLAIMS OF DELAWARE INDIANS.

Mr. Gore presented the following memorial of the Delaware Indians, known as the "Head of the Algonquin Confederation," in support of a bill (S. 6940) to compensate the Delaware Indians for services rendered by them to the United States in various wars.

MEMORIAL OF THE DELAWARE INDIANS.

[In re S. 6940 and H. R. 2269.]

To the Congress of the United States:

The purpose of this bill is to compensate the Delaware Indians for services rendered by them to the United States in various wars.

Your memorialists represent—

That the Delaware Indians, known as the "head of the Algonquin Confederation," furnished, as soldiers and allies in the various wars prior to 1855, more than 1,500 warriors, and from smallpox contracted in the War of the Revolution and the War of 1812 lost more than 15,000 of their people; smallpox was a disease unknown among the Indians prior to the advent of the white man.

That the Delaware Indians were the first people to come to the aid of the colonists in their struggle for independence. That the first treaty this Government made with any nation or people was made with the Delaware Indians. That in that treaty the Delawares, as a nation, formed an offensive and defensive alliance with this Government. That they were to be recognized as the head of an Indian State with representation in Congress as part of their compensation. That the Delaware Indians carried out their part of these treaty obligations, did furnish warriors and use their influence with other tribes in the interests of the United States, did give free access across their territory to the Revolutionary troops, did consent to have forts built on their property, did assist in the building of these forts, did act as spies and scouts and guides and furnish information to the Government as to the strength, position, and purpose of the enemy, and did receive nothing in return therefor.

That few, if any, of the promises made to them by the Government have ever been fulfilled. That when their assistance was no longer needed they were insulted and outraged. That finally, to avoid trouble, they gave up the territory which had been solemnly pledged to them forever, to become the fourteenth State in the Union. That thereupon, relying on this Government and its promises contained in the treaty of 1801, they removed farther west into what is now Indiana. That then came the war of 1812, and the Delaware Indians again came to the assistance of the Government and rendered it invaluable aid. That the soldiers who passed through this new territory (Indiana) saw and praised the value of this new land and coveted it. That finally, by coercion and persuasion, the Delawares were again induced to give up this land to the United States and move farther west.

That the services they rendered were in conflicts that were not theirs and in wars for which they were not responsible. That they gave their blood and their land and were reduced in less than two generations from over 20,000 people to less than 4,000. That still they remained loyal to this Government and assisted in the wars that followed, including the various Indian wars, the Florida War, the Mexican War, and the Civil War.

That the services they rendered and the promises made to them entitled them to expect the friendship, consideration, and gratitude of this Government. That all of these services have been rendered without compensation or pay. That not even a statue has been erected to them or to any of their warriors who fell in the cause of this Government. That, as Indian Commissioner Manypenny says, no people, State, or community has ever done so much or submitted to such injustice and ingratitude without revolt. That the French allies, who had a great grievance against the English

and who were really fighting on their own account and for their own ends, were liberally rewarded by this Government. That all other soldiers who have served this Government in its early wars received pay and bounties under laws made to meet their cases, but which are inapplicable to these Indians. That the Delawares have now been stripped of practically all of their lands and are now reduced to less than 1,500 people. That they now make claim for the bounties to the same amount and to the same extent as under existing laws would be given to other soldiers in like circumstances, the only difference being that inasmuch as the Delawares furnished their warriors as a tribe they ask that the bounties be issued to them as a tribe to be distributed by them in accordance with their traditional customs. That the Delawares are justly entitled to many times the compensation they are seeking to obtain by H. R. 2269, as will more fully appear herein.

In the early days of the colonists the Delaware Indians were a numerous, bold, and daring tribe and occupied large portions of what are now the States of Pennsylvania, Delaware, New Jersey, and adjacent country, and numbered many thousands. At and just prior to the Revolutionary period the greater part of them were located in Ohio. When the Revolutionary War broke out, the different bands of the Delawares were divided in opinion. Some desired to remain neutral, others desired to assist the Americans. Two bands, under Chief White Eyes, who subsequently obtained a colonel's commission in the American Army, and Chief Killuck, openly and valiantly espoused the cause of the colonists. An interesting and instructive account of the actions of the Delawares at this time is found in chapters 13 and 14 of Hockewelder's Narrative. The Journal of the Continental Congress of April 10-11, and December 16, 1776, records the visits of the Delaware chief, White Eyes, to Congress and the value in which Congress held the services of himself and his followers. During these early years of the Revolution Congress passed many resolutions looking to the preservation of friendly relations with the Indians and to obtaining their aid and assistance in the war. (Manypenny, *Our Indian Wars*, p. 50.) In March, 1778, Congress authorized Washington to employ a body of Indians in connection with the military operations against the British. (Idem, p. 51.)

On September 17, 1778, the first treaty entered into by the United States with any Indian tribe was made with the Delawares. Attention is especially directed to this treaty, and to the fact that the Delaware Indians, as a nation, entered into this treaty with the United States. Article III of this treaty read as follows:

"ARTICLE III.

"And whereas the United States are engaged in a just and necessary war, in defense and support of life, liberty, and independence against the King of England and his adherents, and as said King is yet possessed of several posts and forts on the lakes and other places the reduction of which is of great importance to the peace and security of the contracting parties, and as the most practicable way for the troops of the United States to pass the posts and forts is by passing through the country of the Delaware Nation, the aforesaid deputies, on behalf of themselves and their nation, do hereby stipulate and agree to give a free passage through their country to the troops aforesaid and the same to conduct by the nearest and best ways to the posts, forts, or towns of the enemies of the United States, affording to said troops such supplies of corn, meat, horses, or whatever may be in their power for the accommodation of such troops, on the commanding officer's, etc., paying or engaging to pay the full value of whatever they can supply them with. And the said deputies, on behalf of their nation, engage to join the troops of the United States aforesaid, with such a number of their best and most expert warriors as they can spare, consistent with their own safety, and act in concert with them; and for the better security of the old men, women, and children of the aforesaid nation whilst their warriors are engaged against the common enemy, it is agreed on the part of the United States that a fort of sufficient strength and capacity be built at the expense of the said United States with such assistance as it may be in the power of the said Delaware nation to give, in the most convenient place and advantageous situation, as shall be agreed on by the commanding officers of the troops aforesaid, with the advice and concurrence of the deputies of the aforesaid Delaware nation, which fort shall be garrisoned by such a number of the troops of the United States as the commanding officer can spare for the present, and hereafter by such numbers as the wise men of the United States in council shall think most conducive to the common good."

The records show that 68 Delawares were forthwith drafted as soldiers to serve under Col. McIntosh in the Regular Army under the terms of this treaty. Five Delawares were among the personal bodyguard of Gen. Washington, and more than 500 Delaware Indians served as warriors and allies of the United States, not all regularly enlisted,

but as allies in conjunction with the American troops in much the same manner as the French. The records also show that the Delawares were attached to Col. Daniel Brodhead's regiment, the Eighth Pennsylvania; at one time he speaks of 30 Delawares in his regiment, at another time of 8, at another time of 40, and at another time of a large number. Col. Gibson also reports a number of Delaware Indians in his regiment, and John Harding reports a considerable number enlisted in his company. From numerous historical sources it appears that the Delawares were used as scouts and guides by the American military forces during the Revolutionary period. (See Yeates papers, Pa. Hist. Soc., Pa. archives, vol. 12; Pa. archives, 5th series, vol. 3.)

In the early days of the Revolution, Col. George Morgan, who was especially selected by Gen. Washington, was made the first Indian agent for the middle territory, and it was made his special duty to secure the assistance of the Indians in the Middle West. Col. Morgan's diary is to be found in the Library of Congress, to which a few years ago it was transferred from the Department of State. From this diary we learn of the friendship and aid which the Delawares gave to the United States.

On April 8, 1777, Col. Morgan, in a letter to Col. David Shepherd (which appears in the diary), speaks of the Delawares and the Shawnees as "the chiefs of our allies," saying that these Indians were rendering valuable services to the Government. Col. Morgan's letters show that at that time he was in their confidence and counseled with them regarding the military operations then in progress. In a letter from Col. Morgan to John Hancock, President of Congress, dated July 31, 1777, he writes "that the Delawares, in general, remained in our interest"; and in a letter dated May 10, 1778, Col. Morgan requests from Congress a colonel's commission for White Eyes, the Delaware chief, which was subsequently granted. Under date of May 12, 1781, one year after the close of the Revolutionary War, Col. Morgan recommends to Congress the granting of 20 miles square, 256,000 acres of land to the Delawares and 30,000 acres to Col. White Eyes, in recognition of their services to the colonists during the war.

In Col. Morgan's letter of August 13, 1777, to the President of Congress with reference to the Delaware Indians, we find the following:

"I inclose the conclusion of the Indian conferences. Congress will observe that the Delawares have left me one of their old chiefs and his family, consisting of eight persons, as pledges of their fidelity, and to keep a friendly communication open between us, which will answer very valuable purposes if our troops and militia can be prevailed on not to injure or insult their nation, as they too frequently have done even during my conference with them, as particularly mentioned in the minutes. * * * It is my duty to mention to Congress, as I have to the General, that if the rage among our people is not subdued, we shall experience more formidable enemies in the Delawares than in triple their number of Wyandottes, Ottawas, etc."

Col. Morgan subsequently reports:

"I have obtained assurance from Capt. White Eyes and Killbuck that they and the Delawares in general will join our Army if we will not deceive or suffer their people to be ill-treated."

The Government received their services, but was unable to pay them. Col. Morgan, in another of his reports to Congress, complains of his inability to pay them, and says:

"If it be possible to procure some clothing for the Delawares and those Indians who may display a friendly disposition, I wish it may be done. I have not even a breech-clout to pay for my services. I have employed them on."

In another report to Congress, on May 16, 1779, Col. Morgan says:

"I am satisfied that the Delaware Nation are disposed to give to Congress such a tract of land as, in my opinion, would satisfy all the troops of the United States, or, if set up for sale, would pay a good proportion of our national debt."

This land and much more was received from the Delawares for practically nothing. The Government records show that concession after concession has been made to white soldiers for services rendered in the Revolutionary time, some grants to individual persons amounting to 100,000 and 300,000 acres. Some of these grants were made to individuals connected with the military service who were surveying military roads through the lands of the Delawares, and in every instance in that territory these surveying parties had Delawares for guides. This is shown in Morgan's minutes and in his letters to Congress. In Morgan's letters, and several other authentic sources, it is shown that in 1778 Gen. McIntosh was escorted by White Eyes and Killbuck and Delaware warriors from Fort Pitt to Fort McIntosh, and that during the trip Chief White Eyes, who then held a colonel's commission, was killed.

Your memorialists annex to the end of this memorial extracts from the letters of Col. Daniel Brodhead, who was in command of the western district. These letters contain many references to the valiant services which the Delawares rendered the colonists during the Revolution.

In letter No. 5, to Rev. John Heckwelder, May 13, 1779, Col. Brodhead says (in speaking of the endeavors of the British to strike the Delawares):

"But I will venture to predict that they will not do it. They will consider the Delaware Indians allies as no contemptible foes which, added to the fast connection between them and us, must and surely will end in their final extirpation. I sincerely wish our allies, the Delawares, may make themselves easy and no longer remain in a state of such apprehension. They will shortly hear from the northward as well as from the southward that their brethren are by no means idle."

In letter No. 8, to Gen. Washington, dated Pittsburgh, May 22, 1779, Col. Brodhead says:

"You may rely on my close attention to the movements of the enemy, and that they can not approach nearer to any advanced post without receiving intelligence from the Delawares."

In letter No. 152, to Gen. Washington, May 13, 1780, Col. Brodhead says:

"The Delaware Indians continue their professions of friendship, and some of their warriors are now on duty with my scouts, but as I have little or nothing to give them but good words and fair promises I apprehend they will soon decline the service."

In letter No. 159, to Col. Archibald Lochry, May 20, 1780, Col. Brodhead writes:

"I know the influence of the Delaware councils, with 20 different tribes, and am sensible it is upon their account that so few of their color are active against us."

On January 21, 1785, and January 9, 1789, treaties were made between the United States and the Delaware Indians and other tribes which contain evidence of the friendship and loyalty of the Delawares. (American State Papers, Indian Affairs, vol. 1, pp. 6-9; see especially art. 8, treaty of 1789, p. 7.)

In 1791 the confidence and reliance which this Government had in the Delawares is shown by the instructions of the Secretary of War to Col. Thomas Proctor, who was sent on a mission to the Miamis and other tribes which contain evidence of the friendship and loyalty of the Delawares. (American State Papers, vol. 5, Indian Affairs, vol. 1, pp. 139, 146, 165.) Speaking of the Delawares and Wyandottes, the Secretary of War says:

"These tribes are our friends, and in treaty with us, which, as far as is known, has been well observed by them. * * * You will inform them of the object of your journey and desire that they will appoint some of their chiefs to accompany you."

In his message to the Miamis, the Secretary of War says:

"Receive them, the bearers, Col. Proctor, Capt. Houdin, and our Indian allies who accompany them, with open arms." (Idem, p. 147.)

The relations between the colonists and the British on the north, after the Revolutionary period, was one of constant friction. There was frequent evidence of the desire and intention of the British to renew hostilities. In 1808 and again in 1811, the Delawares informed the War Department of our Government that emissaries from the British had recently visited them and informed the Delawares that the British were about to begin hostilities against the United States and requested the aid of the Delawares. (Idem, pp. 783-80.) The Delawares again informed our Government of the visit of the British emissaries for a like purpose just prior to the War of 1812. There is abundant evidence that during this period the Delawares not only kept our Government informed of what its enemies were doing, but themselves were active in inducing other Indians not to engage in the coming hostilities against the United States. (Idem, pp. 801, 807, 810.)

The Delawares accompanied Gen. Harrison on his expedition against the Shawnees under the "Prophet" in 1811 and rendered valuable aid. (Idem, p. 776.) In this expedition Gen. Harrison not only used the Delawares as warriors, but also used them as emissaries in endeavoring to effect a treaty with the Shawnees.

Gen. Harrison, who was in command of the military forces of the United States in the central western territory during the war of 1812-1815, testifies in many places and in many ways to the friendship and assistance which the Delawares rendered the Government and the gratitude the Government should feel for their services, and says that they remained faithful to the United States. (Idem, pp. 833-834.) On July 8, 1814, Gen. Harrison in council addressed the Delawares and others as follows:

"My brothers, before we proceed to the business for which we have now assembled I will communicate to you a message from our great father, the President of the United States, directed especially to those of our red brethren who have faithfully and honestly supported the interests of the United States during the present war."

He then read and explained to them a message from the President of the United States, directed to the Wyandotte, Seneca, Delaware, and Shawnee Tribes of Indians, acknowledging their faithful services, and assuring them of the high estimation in which these services were held by their father, the President of the United States; after which he presented to the Wyandotte, Delaware, and Shawnee Tribes each a

large silver pipe elegantly ornamented and engraved with devices emblematic of the protection and friendship of the United States. (American State Papers, vol. 5, Indian Affairs, vol. 1, p. 828.)

The Delawares also received a silver tomahawk from Col. T. B. Reading in the Mexican War, the giving and acceptance of which, in accordance with well-recognized Indian custom, was the strongest pledge of striking the war post for the giver's cause. The Delawares still have the chief's war club which was carried in the cause of this Government in all its early wars.

In view of the foregoing recital, it would seem sufficient to state that for their services to the Government in the Revolutionary period the Delawares have never received any compensation. Right after the close of the Revolution the Delawares gave to the Government enough land to pay all bounties to Revolutionary soldiers and sufficient (as Col. Morgan says), if put on sale, to pay a good proportion of the national debt. Out of this land was carved almost the entire State of Ohio.

The Delawares would be glad, of course, if it were a matter of history to be able to say that none of the tribe had been won over by the great inducements offered by the British in those early days. When the early history of the country is carefully reviewed, considering the extraordinary efforts the British made in exciting the Indians against the colonists, furnishing them with ammunition, supplies, money, and promises, the wonder is that such a large part of the Delawares remained loyal to the United States. This is referred to some length by President Madison in his message to Congress November 14, 1812, after reading which no one ought to be surprised that some of the Indians were induced to join the cause of the British. But notwithstanding the inducements offered by the British both in the Revolutionary War and the War of 1812, and the treachery and bad faith of some of the colonists toward the Delawares, a majority of the Delawares remained loyal to the Government of the United States. Those that separated themselves from the loyal portion of the tribe have never returned and are now living in Canada; and these disloyal ones and their descendants have never at any time since had any interest in common with the loyal Delawares now residing in Oklahoma. No benefits under this bill would in any event accrue to these disloyal Delawares and their descendants.

As to the services of the Delawares in the War of 1812 and 1815, reference is made to article (2) of the treaty of July 22, 1814, made with the Delawares, which reads as follows:

"ARTICLE (2).

"The tribes and bands above mentioned engage to give their aid to the United States in prosecuting the war against Great Britain and such of the Indian tribes as still continue hostile, and to make no peace with either without the consent of the United States.

"The assistance herein stipulated for is to consist of such a number of their warriors from each tribe as the President of the United States, or any other officer having this authority therefor, may require."

On September 9, 1815, another treaty was made between the United States and the Delawares and other tribes. The negotiations detailed in the American State Papers, Indian Affairs (vol. 2, pp. 1-25), give instructive evidence of the friendly relations with the Delawares and their valued services in the war. It was largely through the efforts of the Delawares that many of the northwestern tribes joining this treaty were brought into friendly relations with the United States.

Article 3 of this treaty begins:

"In consideration of the fidelity to the United States which has been manifested by the Wyandot, Delaware, Seneca, and Shawnee tribes throughout the late war. * * * the said United States agree to pardon such of the chiefs and warriors of said tribes as may have continued hostilities * * * and to permit the chiefs of their respective tribes to restore them to the stations and property which they held previously to the war." (Idem, p. 12.)

There is nothing to indicate that any of the Delawares were disloyal during the war.

Article 12 of the treaty of September 29, 1817, between the United States and the Delawares and other tribes, provides that the United States pay:

"the amount of the damages which were assessed by the authority of the Secretary of War in favor of several tribes and individuals of the Indians who adhered to the cause of the United States during the late war with Great Britain and whose property was, in consequence of such adherence, injured and destroyed." (Idem, p. 133.)

The amount found due the Delawares was \$4,304.

The commissioners appointed to negotiate the treaty with the tribes of Indians west of the Mississippi, in 1815, received complaints from the Delawares, concerning which they report:

"Not having been made our particular duty to investigate the cause of complaint as alleged by them, we can only say that, as at present advised, we think them well founded; and being well acquainted with the uncommon sobriety and general good conduct of these Indians, the attachment which they have evinced toward our Government, their confidence in its justice, the alacrity with which they afforded their cooperation with us in the late war, the progress of civilization among them, etc., we feel it our duty to recommend them to the benevolence as well as justice of our Government." (American State Papers, vol. 5, Indian Affairs, vol. 2, p. 11.)

It further appears that the sum of \$10,298 was paid to the Delawares at one time as a balance due them for losses sustained by them during the war of 1812. In 1815, the Indian agent at Fort Wayne states that the annuities of the Delawares were paid because they had been faithful throughout the late war. (Idem, p. 81.) Annuities of other tribes were forfeited because of their hostility during this period. (Idem, p. 89.)

From the historical authority cited it clearly appears that at the outset of the Revolution the Delawares became friendly to the colonists. The treaty of 1778 conclusively shows that they as a nation became the allies of the United States. A substantial number under Col. White Eyes and Chiefs Killbuck, Kelelanand, Hengu Pushees, and Wicacoin, all of whom are chiefs of different bands of the Delawares, cooperated with the military forces of the United States, and these chiefs and their bands allied themselves with the American force and took part in the war. (American State Papers, vol. 5, Indian Affairs, vol. 1, p. 11.)

The value of the Delawares to the American forces at this time may be better appreciated when it is said that their influence among the tribes of that territory was paramount to that of any other Indian nation, and as warriors they were equally distinguished, one Delaware being considered equal in combat to three Indians of almost any other tribe.

No doubt their highest value to Gen. Washington and his forces were the services they were able to render as scouts and guides, seeing that these Indians were at home familiar with every path, mountain, and stream.

The loyalty of the Delawares continued after the Revolution, in the friendliest sort of way, is indicated by the expressions contained in the various treaties and other public documents of that period. It clearly appears in the American State Papers that these Indians kept the Delawares and other Indian tribes during the period between the Revolution and the War of 1812. A body of these Indians accompanied Gen. Harrison in his expedition against the "Prophet" in 1811, and took a prominent part not only in the negotiations for peace, but in the actual military operations. It also appears that from these Indians Gen. Harrison obtained the earliest and most authentic information of the hostile movements of the British just prior to the War of 1812.

That the Delawares were loyal and friendly throughout the War of 1812 is testified in the many references cited above. As an evidence of the appreciation which Gen. Washington and Congress had of the distinguished and loyal services of these Delawares, it is interesting to note that Congress at this period educated, at Princeton College, three Delaware youths, children and relatives of the famous chiefs who had served the military forces during the Revolution.

Coming on down from the War of 1812, we find the Delaware a prominent factor in all military and semimilitary operations engaged in by the Government up to the present time. No tribe of Indians, in proportion to their numbers, can show services of similar distinction and value. In all the great exploration work done in the early part of hisconium passed upon them by Gen. Fremont (Life, etc., pp. 108, 214, 215, 235, 253), where he speaks of the Delawares who accompanied him and of their valuable services. He called them "resourceful, brave, excellent marksmen, truthful and unselfish, and most skilled and intrepid scouts," and says, "among the rest, they are entitled to land his expedition of 1846, and 10 in his expedition of 1853.

In Sprague's History of the Florida War (p. 102), it appears that 174 men and 4 commissioned officers from the Delaware and Shawnee tribes were allied with the American forces. We have the muster-roll of two of these companies, showing double enlistment of each of these companies. One company consisted of 37 officers and men, and the other company consisted of 50 officers and men. We feel certain that further search would reveal additional names of the Delawares who served the United States in the Florida War.

The Delawares also served in the Mexican War. We have the muster-roll of one of these companies commanded by Capt. Black Beaver, comprising 37 officers and men. There were other Delawares in the Mexican War, among them a band of

scouts under Thomas Hill, a Delaware war chief, who in token of his services was presented with a silver tomahawk, which is still in the possession of the Delaware Nation.

William Armstrong, acting superintendent, in his report to Commissioner of Indian Affairs and speaking of the Delawares, says:

"As hunters and warriors they have a higher reputation than any other Indians on the frontier * * * their character for superior courage and sagacity being so well established that the wild tribes seldom venture to attack them." (Report Commissioner of Indian Affairs, 1845, p. 507.)

A letter from J. B. Taylor, special Indian agent, at Brazos, Tex., to Maj. Neighbors, dated October 7, 1855, and on file in the Indian Office, tells of the efficient services of the Delawares to the United States during that period and their skilled methods of warfare against other Indians.

Gen. Marcy, in his Exploration of the Red River, says:

"A few of such men as the Delawares attached to each company of troops upon the Indian frontier would, from their knowledge of Indian character and habits and their wonderful powers of judging country, following tracks, etc. (things which soldiers can not be taught), enable us to operate to much better advantage against the prairie tribes. * * * Their services were almost indispensable in an expedition like this."

In the contest with the Sioux in 1847, 60 Delawares were employed by the United States forces, and a number aided the Regular Army in the outbreak of the Pawnees in 1847 and against the Cheyennes, Comanches, etc., in 1855.

Gen. Miles in his report tells of the efficient and valiant services of the Delawares in a number of the campaigns against the Indians, ascribing to the Delawares the highest degree of efficiency in Indian warfare.

The Delawares in the Civil War stand preeminent. Some extracts from official reports from 1862 to 1865 follow:

"The Delawares are truly a loyal people, and with hardly an exception are devoted to the Government. Out of a population of 201 males between the ages of 18 and 45, there are at present 170 in the Union Army. This probably is the largest ratio of volunteers furnished for the war." (Agent Johnson's Report, Sept. 17, 1862.)

"As an instance of their loyalty I will mention this fact: Of 201 Delawares between the ages of 18 and 45, 170 have volunteered and are now in the military service of the United States. It is doubtful if any community can show a larger proportion of volunteers than this." (Annual Report, Commissioner of Indian Affairs, 1862, p. 23.)

"One-half of the adult population are in the volunteer service of the United States. They make the best soldiers and are highly esteemed by their officers. The tribe has shown their devotion and loyalty to the Government by the number of men furnished to the Army." (Report, Agent Johnson, Sept. 25, 1863.)

"I must not omit to mention the subject of their loyalty to the Government. More than one-half of their adult male population is regularly enlisted in the volunteer forces of the Government, and as soldiers are highly esteemed by their officers. It is perhaps not too much to claim that no community within the limits of the loyal States can show a better record than this." (Annual Report, Commissioner of Indian Affairs, 1863, p. 29.)

"The male portion of the tribe are either in the Army or are employed in its connection, and it is a matter of some satisfaction to be able to say they have distinguished themselves in the Army of the frontier as most excellent troops. A party of 29 left here lately, under Capt. Fall Leaf, to assist in the expedition now being engaged against the Sioux." (Report, Sept. 13, 1864, by Agent Pratt.)

"In connection with this subject, however, it would be unjust to omit the fact that a large portion of the men of the tribe are enlisted in the United States Army, where they have distinguished themselves as faithful soldiers. Their absence from the reservation in the service of the country may account, in a great measure, for the failure to put more land under cultivation this year." (Annual Report, Commissioner of Indian Affairs, 1864, p. 37.)

"It affords me great pleasure to chronicle the continued loyalty of the tribe during the past eventful four years, and as events tend westward they evince every disposition to aid the Government by contributing their knowledge of the country to the officers of the Army and rendering such service thereto as they are qualified to perform." (Report, Sept. 25, 1865, by Agent Pratt.)

"The Indians number about 1,000, and maintain fully their reputation for devoted loyalty, having furnished many good soldiers to the Army." (Annual Report, Commissioner of Indian Affairs, 1865, p. 43.)

These latter services of the Delawares are mentioned to show their continued loyalty to the Government and their ever readiness to render military services.

REASONS FOR ISSUING BOUNTIES TO THE TRIBE INSTEAD OF THE INDIVIDUAL.

At this date it would be impossible to issue bounties to the Delawares under the general law where strict proof of heirship is necessary. Inasmuch as the tribe furnished the soldiers or warriors under treaty stipulations with the Government, and inasmuch as the tribe supported and sustained the members (and their families) who were at war, the Delaware Indians believe it is right and just now that bounties should be issued in favor of the tribe without tracing heirship to the individual soldiers who served in the various wars. To require strict proof of heirship would be attempting the impossible and result in giving them no reward for their services. As far as your memorialists have been able to learn, no other tribe or community furnished soldiers under like circumstances and conditions, and therefore there can be no question of discrimination. Other soldiers enlisted as individuals, were treated as individuals, and received their bounties, whether cash or land, as individuals, but the Delaware warriors were furnished by the tribe and their families supported by the tribe while the warriors were away fighting, and it is equitable and just that the tribe should receive the compensation.

As to the impossibility of proving heirship, attention is directed to a report rendered by Hon. L. P. Waldo, Commissioner of Pensions, on October 10, 1883, in which he states among other things:

"In executing the act of September 28, 1850, I found a large number of claims filed by individuals belonging to various Indian tribes who still retain their tribal character, but who claim to have been soldiers in the various wars described in said act and entitled to its benefits. Some of these claims have been admitted and warrants have been issued. Others have been suspended.

"I also found great embarrassment attending the examination and final disposition of these claims in consequence of the difficulty in communicating with the claimants, their inability to state the facts connected with their services as explicitly at desired, and the want of the muster rolls known to be authentic to verify their statement. These embarrassments are greatly increased when the claims are presented by the widow and minor children of a deceased soldier. Evidence of marriage and heirship and the proper appointment of guardian is in most cases next to impossible to obtain according to any well-established rules."

The difficulties which confronted Commissioner Waldo 56 years ago, in the adjudication of individual claims, are insurmountable to-day, and disclose a strong argument in favor of the provisions of the bill, which provides that the compensation shall be made to the Delawares as a tribe, and not to the heirs of the individuals who fought in the various wars. Even if the heirs could establish their claims, it was the tribe that furnished the soldiers in accordance with treaties or agreements with the Government, and it is the tribe which should receive the benefits and distribute them among the members of the tribe in accordance with well-recognized Indian customs.

The records fail to disclose that any considerable number of the Delawares have ever received bounties. Your memorialists have made careful search and all that have been discovered are 13 who received bounties for services against the Sioux. Commissioner Waldo's letter shows how impossible it is for these Indians to prove up under existing law. Furthermore, the Delawares fought more as allies than as individuals, without pay, and mainly under their own officers, many of whom were commissioned by the Government, in much the same way as the French. This may account for the lack of authentic records which would enable the Delawares to comply with the technical requirements of the present law.

Respectfully submitted,

THE DELAWARE INDIANS RESIDING IN OKLAHOMA,
By RICHARD C. ADAMS.

APPENDIX.

EXTRACTS FROM COL. DANIEL BRODHEAD'S LETTERS.

[Pennsylvania Archives, Series I, vol. 12.]

We find from Daniel Brodhead's letter, who was colonel and commander of the western district (letter No. 2, p. 107) April 15, 1779, to his excellency Joseph Reed, governor of the State of Pennsylvania:

"I am persuaded the Delawares may be engaged to fight against the Six Nations, although more numerous than themselves, provided they are well supplied, and we have the means—that is, Indian goods, trinkets, and black wampum—to pay them for their services."

In letter No. 5, to Rev. John Heckwelder, May 13, 1779, Col. Brodhead says, in speaking of the endeavors of the British to strike the Delawares:

"But I will venture to predict that they will not do it. They will consider the Delaware Indians allies as no contemptible foes, which, added to the fast connection between them and us, must and surely will end in their final extinction. I sincerely wish our allies, the Delawares, may make themselves easy and no longer remain in a state of such apprehension. They will shortly hear from the northward as well as from the southward that their brethren are by no means idle."

In letter No. 8, to Gen. Washington, dated Pittsburgh, May 22, 1779, Col. Brodhead says:

"You may rely on my close attention to the movements of the enemy and that they can not approach nearer to any advanced post without receiving intelligence from the Delawares."

In letter No. 10, to Col. George Morgan, May 27, 1779, Col. Brodhead says:

"I wish the Delaware chiefs may return according to their promise."

In letter No. 14, May 29, 1779, to Gen. Washington, Col. Brodhead writes:

"The Delaware warriors assure me that the enemy are considerably reinforced by white men."

Further on in the same letter he says:

"A young Delaware Indian who calls me father offered his services to bring me a Mingo scalp, and is now fitting his arms, etc., for that purpose."

In letter No. 18, June 2, 1779, to Col. Archibald Lochry, Col. Brodhead writes:

"Two Delaware warriors are arriving with intelligence that the Wyandotte Nation are bidding farewell to the English forever, and their chiefs are now on the way to take me by the hand and make a lasting peace with Americans."

In letter No. 19, to Rev. Heckwelder, June 3, 1779, Col. Brodhead writes:

"I have a party of warriors out toward the Mingo towns, and others are preparing. I believe they will be convinced that we can act in their own way. This may drive them from their designs against the settlement."

In letter No. 20, June 5, 1779, to Gen. Washington, Col. Brodhead writes:

"I have sent out one scalping party toward the Mingo towns and am preparing another. If they answer no other purpose, they may bring intelligence of an approaching enemy; but should a firm peace be concluded, as I have reasons to believe with the Wyandottes there is, it would give me great pleasure to make one grand push against the Mingoes."

In the same letter, speaking of a Delaware that was killed, he says:

"As yet I am ignorant of the name of the Delaware man."

In letter No. 24, to Col. Archibald Lochry, June 23, 1779, speaking of the fight at Perry Mills, Col. Brodhead says:

"One of the Delaware chiefs who went with Capt. Bready distinguished himself on this occasion."

In letter No. 25, June 25, 1779, to Gen. Washington, Col. Brodhead says:

"A few days ago Col. Bready, with 20 white men and 1 young Delaware chief, all well painted, set out toward the Seneca country."

Further on in the letter he says:

"Capt. Bready and most of his men acted with great spirit and intrepidity, but it is confessed that the young Delaware chief, Nonowand, or George Wilson, distinguished himself on this enterprise, and I have the pleasure to inform your excellency that the Delaware chiefs are safely returned from Philadelphia, and one of them, agreeable to their customs, stepped forward to the party and received the scalp in triumph."

In letter No. 26, June 27, 1779, to Hon. Timothy Pickering, Col. Brodhead writes:

"I have at length the pleasure to inform you that the western Indians have changed sides and one of the young Delaware chiefs has already assisted one of my party in defeating and taking a scalp from one of the Muncy and Senecas; and some other young Delawares are just arrived who the chiefs inform me are upon my invitation to join some party of white men."

In letter 27 to Lieut. Col. Stephen Bayard, July 1, 1779, Col. Brodhead says:

"An express is dispatched by the Delaware chiefs to order the Delawares of Coocheking to seize Girty and his party should he return there, and they are to be brought to me."

In letter No. 28, to Col. Stephen Bayard, July 9, 1779, Col. Brodhead says:

"Mr. Patterson and Ward with a small party of white men and eight or nine Delaware warriors will proceed toward the Seneca country within a day or two. The warriors will go with the full consent and approbation of the chiefs, and I wish them success."

In letter No. 29, to Col. Campbell, July 14, 1779, Col. Brodhead writes:

"I have 2 Muncy scalps, and several more were killed by our party of whites and Delawares. Lieut. Peterson and Ensign Wood with 18 whites and 6 Delawares are gone to try their fortune toward the Seneca towns."

In letter 35 to Col. Archibald Lochry, July 29, 1779, Col. Brodhead writes, in speaking of a treaty under Capt. Jack:

"The Delawares that accompanied him seemed anxious to come up with them."

In letter 46 to Gen. Washington, July 31, 1779, Col. Brodhead states:

"A party of white men and Delawares under the command of Ensign Morrison have brought in 1 Indian scalp since my last, and others have taken a considerable share of plunder near their towns, and we had 2 men killed within 300 yards of Fort Laurens. * * * Capt. Killbuck is here. He has sent for a great number of Delaware warriors to join him on the intended expedition."

In letter No. 48, to Timothy Pickering, August 3, 1779, Col. Brodhead says:

"I shall set out on an expedition against the Seneca towns about the 7th, and a number of Delawares have promised to join me."

In letter No. 49, to Gov. Reed, August 3, 1779, Col. Brodhead says:

"I expect to have a number of Delaware warriors join me, but have nothing to reward them with."

In letter No. 54, to Col. Morgan, August 4, 1779, Col. Brodhead says:

"Several Delawares are here waiting and more are expected to join me in my expedition up the Allegheny."

In letter No. 56, to Maj. Gen. Sullivan, August 6, 1779, Col. Brodhead says:

"I have 12 Delaware warriors ready and have the promise of a number more."

In letter No. 57, to Gen. Washington, September 16, 1779, speaking of the Battle of Cuscuting, Col. Brodhead says:

"One of the advanced guards, consisting of 15 white men, including spies, and 8 Delaware Indians, under the command of Lieut. Hardin, of the Eighth Pennsylvania Regiment, whom I have before recommended to your excellency for his great bravery and skill as a partisan, discovered between 30 and 40 warriors coming down the Allegheny River in 7 canoes. These warriors having likewise discovered some of the troops, immediately landed, stripped off their shirts, and prepared for action, and the advanced guard immediately began the attack."

"All the troops, except 1 column and flankers being in the narrows between the river and the high hill, were immediately prepared to receive the enemy, which being done, I went forward to discover the enemy, and 6 of them retreating over the river without arms, at the same time the rest ran away leaving their canoes, blankets, shirts, provisions, and 8 guns, besides 5 dead, and by the signs of blood several went off wounded. Only 2 of my men and 1 of the Delaware Indians were wounded and so slightly that they are already recovered and fit for action * * * On my return here I found the chiefs of the Delawares, the principal chiefs of the Hurons, and now the King of Maquichee Tribe of the Shawnees is likewise come to treat with me; about 30 Delaware warriors are here likewise ready to go to war, but I have nothing to encourage them with."

Further on he says:

"A few Indian goods, paint, and trinkets at this juncture would enable me to encourage the Delawares to harass the enemy frequently."

A postscript to this letter is:

"The Delaware chiefs have just called on me to build some blockhouses at Cuscuting for the protection of their women and children while they are out against the English and Mingoes, and I have agreed to send a detachment for that purpose agreeable to the Articles of Confederation."

In letter No. 58 September 23, 1779, to Timothy Pickering, Col. Brodhead says:

"I inclose you the talks of the Delawares, Wyandottes, and Maquichee tribe of Shawnees and I flatter myself that there is a great share of sincerity in their present profession."

In letter No. 66 to Gen. Sullivan, October 10, 1779, speaking of a fight won by the advanced guard on the Allegheny River, Col. Brodhead says:

"This was done in a few minutes by the advanced guard composed of 15 light infantry and 8 Delaware Indians."

In letter No. 80 to John Fay, October 26, 1779, Col. Brodhead says:

"It is hard to determine what effect this imprudent conduct may have on the minds of the Delaware chiefs and warriors, but I hope a favorable answer to the speech I sent them."

In letter No. 81 to Gen. Washington, October 26, 1779, Col. Brodhead says:

"I sent a runner to the Delaware council at Coocheking to inform them of the trespass, and assure them it was committed by some foolish people and requested them to rely on my doing them justice and punishing the offenders, but as yet have not received an answer. I have not yet sent men to build the blockhouses at Coocheking. I told the Indians I would send 200 or 300 men to do that work, but I apprehend 600 or 700 will not be too many, because it is very uncertain what part

the Wyandottes will take or what influence the trespass will have on the minds of the Delawares."

In letter No. 85 to Timothy Pickering, November 3, 1779, Col. Brodhead says:
"But the Delawares inform me that most of the other nations to the westward and southward are friendly to the United States."

In letter No. 87 to Maj. Richard Taylor, November 11, 1779, Col. Brodhead writes:
"I expect that you will be honored with the Delaware delegation company in a few days."

In letter No. 95, November 22, 1779, to Gen. Washington, Col. Brodhead says:
"The Delaware chiefs have paid me another visit and the Wyandotte chiefs are said to be on the way to this place. The Delaware chiefs inform me that the English at Detroit have refused to supply the Wyandottes with clothing because they had entered into a treaty of friendship with us. * * * The Delaware chiefs came to this place with a determination to pay another visit to Your Excellency, but upon my telling them that I should shortly strike the war post they immediately declined going and declared that they and their best warriors would join me."

In letter No. 96, to Timothy Pickering, November 22, 1779, Col. Brodhead writes:
"The Delaware chiefs are again come to this place. They intended to visit Congress, but as I could see no benefit that could at present be derived to the public from another treaty with them, I dissuaded them from their purpose by telling them that I should soon strike the war post, and they offered themselves and their best warriors to join me."

In letter No. 118, to Hon. Richard Peters, February 12, 1780, Col. Brodhead says:
"My last accounts from the western Indians are flattering, and the Delawares continue their friendly offices."

In letter No. 124, to Gen. Washington, March 8, 1780, Col. Brodhead says:
"If the Delaware Nation should declare against us this frontier will be greatly distressed, as many other nations who have hitherto been neutral will join them, and my force is by no means sufficient to protect the settlements."

In letter No. 152, to Gen. Washington, May 13, 1780, Col. Brodhead says:
"The Delaware Indians continue their professions of friendship and some of their warriors are now out with my scouts, but as I have little or nothing to give them but good words and fair promises, I apprehend they will soon decline the service."

In letter No. 153, to Hon. Richard Peters, May 14, 1780, Col. Brodhead says:
"The Delawares continue their professions of friendship, but often mention the promises made them of supplies and their extreme poverty. Some of them are now out with my scouts, but if I am not suddenly furnished with something to pay them for their services they will doubtless leave me and seek a more easy or profitable employment. * * * The Delaware chiefs intend another visit to honorable Congress, and as a fresh proof of their friendship intend to take with them a large pack of beaver skins to kindle the council fire, and as a security for their engagements intend taking some of their children to be educated at college."

In letter No. 159 to Col. Archibald Lochry, May 20, 1780, Col. Brodhead writes:
"I know the influence of the Delaware councils with 20 different tribes, and am sensible it is upon their account that so few of their color are active against us."

In letter No. 160 to Col. John Evans, May 27, 1780, Col. Brodhead says, relating to the proclamation declaring war against all the Delaware Indians:
"The right of making peace and war rests with the honorable Congress only. The Delaware council has power to influence a great number of tribes, who to my certain knowledge are neutral on their account. * * * I expect you will to the utmost of your power discountenance every undertaking that may tend to bring further calamities upon the good people of the frontier counties and give orders to all your officers to give notice of every design that may be calculated to infringe a solemn treaty entered into by the commissioners of Congress with the Delaware Nation until it shall be authorized by the authority of the United States."

"The honorable American Congress have remitted to my care sundry blank commissions to be filled up for such trusty Delaware Indians as I can confide in, and I expect to make them useful instruments against the British Indian allies."

In letter No. 162, to Gen. Washington, May 30, 1780, Col. Brodhead says:
"This has determined me to send Capt. Brady with five white men and two Delaware Indians to Sandusky to endeavor to take a British prisoner, and I hope he will effect. I have likewise offered other Delaware warriors 50 hard dollars' worth of goods for one British soldier, and they have promised to bring him immediately."

In letter No. 166, to Maj. Lanctot, July 7, 1780, Col. Brodhead says:
"You will make such speeches to the Delaware council as you shall judge necessary and endeavor to excite them to remain steady in their alliance with us, and encourage

their warriors to bring in English prisoners, by which I may gain proper intelligence of the strength at Detroit."

In letter No. 169, July 21, 1780, to Hon. Timothy Pickering, Col. Brodhead says:
"Another party was immediately detached up the Allegheny River with two Delaware Indians to take their tracks and make pursuits, but as this party is not yet returned I can not inform you of its success."

In letter 178, to Gen. Washington, August 18, 1780, Col. Brodhead says:
"I have received two letters from the Delaware towns of which I likewise inclose. It appears by the contents that the Delawares and Wyandottes and their numerous allies might be speedily involved in war against each other, provided we were possessed of the means to reward the Delawares for bringing in Wyandotte scalps and prisoners."

In letter No. 181, to Gen. Washington, August 21, 1780, Col. Brodhead says:
"By Capt. Duplantain, who is just arrived from the Delaware towns, I am informed that the British at Detroit treat the French inhabitants with great severity and that they wish for nothing more than the approach of a body of troops from this place."

In letter No. 182 to Maj. Godfrey Lanctot, August 23, 1780, Col. Brodhead says:
"You will please inform the Delaware Council that they shall speedily see their ally complied with, and then I shall discover how far they are desirous to favor an attack against our common enemy."

In letter No. 192 to Benjamin Stoddard, September 14, 1780, Col. Brodhead says:
"If the interest of the Delaware Indians is worth preserving, it is high time that a quantity of goods be sent to clothe them, agreeable to the terms of treaty; at any rate, a quantity of vermilion is indispensably necessary for my white warriors."

In letter No. 193, to Gen. Washington, September 17, 1780, Col. Brodhead says:
"As no supply of goods has yet been sent for the Delaware Indians, agreeable to treaty, I conceive they will be compelled to make terms with the British or perish, and next spring we shall have a general Indian war. The Delaware runners add that a party of 20 Indian warriors have been discovered about six days ago marching toward these settlements, and that a large party of Senecas may soon be expected down the Allegheny."

In letter No. 197, to Hon. Richard Peters, September 17, 1780, Col. Brodhead says:
"I am greatly indebted * * * to the Indians who have been employed as guides, spies, and expressers, besides some small presents to the chiefs."

From the journal of Lieut. Erskines Beatty in the expedition against the Six Nations under Gen. Sullivan, 1779, there is mention of having Indians (Delawares) with them against the expedition.

The journal of Rev. William Rodgers, D. D., in the account of the Sullivan expedition, mentions the fact that Col. Brodhead, from Fort Pitt, had marched with a number of troops and friendly Indians (Delawares) with an intention of forming a junction with Gen. Sullivan near Genesee. (Pa. Archives, series 2, vol. 15.)

The following is from Loudon's Indian Narratives:
"Let us take a view of the benefits we have received by what little we have learned of their art of war, which cost us dear, and the loss we have sustained for want of it, and then see if it will not be well worth our while to retain what we have, and also to endeavor to improve in this necessary branch of business. Though we have made considerable proficiency in this line, and in some respects outdo them, viz. as marksmen, and in cutting our rifles and keeping them in good order, yet I apprehend we are far behind in their maneuvers, or in being able to surprise or to prevent a surprise. May we not conclude that the progress we had made in their art of war contributed considerably toward our success, in various respects, when contending with Great Britain for liberty? Had the British King attempted to enslave us before Braddock's war, in all probability he might readily have done it, because, except the New Englanders, who had formerly been engaged in war with the Indians, we were unacquainted with any kind of war; but after fighting such a subtle and barbarous enemy as the Indians, we were not terrified at the approach of British redcoats. Was not Burgoyne's defeat accomplished, in some measure, by the Indian mode of fighting? And did not Gen. Morgan's riflemen, and many others, fight with greater success in consequence of what they had learned of their art of war? Kentucky would not have been settled at the time it was had the Virginians been altogether ignorant of this method of war."

In Braddock's war the frontiers were laid waste for above 300 miles long and generally about 30 broad, excepting some that were living in forts, and many hundreds, or perhaps thousands, killed or made captives, and horses and all kinds of property carried off; but in the next Indian war, though we had the same Indians to cope with, the frontiers almost all stood their ground; because they were by this time, in some measure, acquainted with their maneuvers; and the want of this in

the first war was the cause of the loss of many hundreds of our citizens and much treasure.

"Though large volumes have been written on morality, yet it may be all summed up in saying, do as you would wish to be done by, so the Indians sum up the art of war in the following manner:

"The business of the private warriors is to be under command, or punctually to obey orders; to learn to march abreast in scattered order, so as to be in readiness to surround the enemy or to prevent being surrounded; to be good marksmen and active in the use of arms; to practice running; to learn to endure hunger or hardships with patience and fortitude; to tell the truth at all times to their officers, but more especially when sent out to spy the enemy.

"Concerning officers.—They say that it would be absurd to appoint a man an officer whose skill and courage had never been tried; that all officers should be advanced only according to merit; that no one man should have the absolute command of an army; that a council of officers are to determine when and how an attack is to be made; that it is the business of the officers to lay plans to take every advantage of the enemy, to ambush and surprise them, and to prevent being ambushed and surprised themselves. It is the duty of officers to prepare and deliver speeches to the men in order to animate and encourage them, and on the march to prevent the men, at any time, from getting into a huddle, because if the enemy should surround them in this position they would be exposed to the enemy's fire. It is likewise their business at all times to endeavor to annoy their enemy and save their own men, and therefore ought never to bring on an attack without considerable advantage or without what appeared to them the sure prospect of victory, and that with the loss of few men; and if at any time they should be mistaken in this, and are likely to lose many men by gaining the victory, it is their duty to retreat and wait for a better opportunity of defeating their enemy without the danger of losing so many men. Their conduct proves that they act upon these principles; therefore it is that from Braddock's war to the present time they have seldom ever made an unsuccessful attack.

"The battle at the mouth of the Great Kanawha is the greatest instance of this, and even then, though the Indians killed about 3 for 1 they lost, yet they retreated. The loss of the Virginians in this action was 70 killed and the same number wounded. The Indians lost 20 killed on the field and 8 who died afterwards of their wounds. This was the greatest loss of men that I ever knew the Indians to sustain in any one battle. They will commonly retreat if their men are falling fast; they will not stand cutting like the Highlanders or other British troops, but this proceeds from a compliance with their rules of war rather than cowardice. If they are surrounded they will fight while there is a man of them alive rather than surrender * * *

"Why have we not made greater proficiency in the Indian art of war? Is it because we are too proud to imitate them, even though it should be a means of preserving the lives of many of our citizens? No! We are not above borrowing language from them, such as *honnny*, *pene*, *tomahawk*, etc., which is of little or no use to us. I apprehend that the reasons why we have not improved more in this respect are as follows: No important acquisition is to be obtained but by attention and diligence; and as it is easier to learn to move and act in concert, in close order, in the open plain, than to act in concert in scattered order in the woods, so it is easier to learn our discipline than the Indian maneuvers. They train up their boys in the art of war from the time they are 12 or 14 years of age, whereas the principal chance our people had of learning was by observing their maneuvers when in action against us. I have been long astonished that no one has written upon this important subject, as their art of war would not only be of use in case of another rupture with them, but were only part of our men taught this art, accompanied with our continental discipline. I think no European power, after trial, would venture to show its head in the American woods.

"If what I have wrote should meet the approbation of my countrymen, perhaps I may publish more upon this subject in a future edition."

U

MSH 28145

7
1
8
8

1
1
1

**END OF
TITLE**